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APPROACHES TO THE LOCAL COUNCIL DEPUTIES' COMPETENCE IMPROVING IN THE DEVELOPMENT OF INTERMUNICIPAL COOPERATION

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SUMMARY

The article deals with approaches to improving the competence of local councils' deputies in the development of intermunicipal cooperation. An overview of the main training programs that have been implemented in Ukraine for 2016–2018 with the support of international technical assistance funds has been submitted. The greatest attention is paid to the study of the results of specialized e-courses for local councils' deputies, which are implemented in the Community of Practice "Sustainable Development". The results of the study can help identify priority forms of improving the competence of local councils' deputies in the development of intermunicipal cooperation.

Key words: community of practice, competence, decentralization, e-learning, intermunicipal cooperation, local self-government, territorial communities' cooperation, local council deputy.

ПОДХОДЫ К УЛУЧШЕНИЮ КОМПЕТЕНТНОСТИ ДЕПУТАТОВ МЕСТНЫХ СОВЕТОВ В РАЗВИТИИ МЕЖМУНИЦИПАЛЬНОГО СОТРУДНИЧЕСТВА

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АННОТАЦИЯ

В статье рассматриваются подходы к улучшению компетентности депутатов местных советов в сфере развития межмуниципального сотрудничества. Автором подан обзор основных учебных программ для депутатов местных советов, которые реализованы в Украине за 2016–2018 года при поддержке международных фондов технической помощи. Наибольшее внимание уделено проведенному автором исследованию результатов специализированных e-курсов для депутатов местных советов, которые реализованы на платформе Сообщества практик «Устойчивое развитие». Результаты исследования могут помочь определить приоритетные формы повышения компетентности депутатов местных советов в сфере развития межмуниципального сотрудничества.

Ключевые слова: сообщество практик, компетентность, децентрализация, дистанционное обучение, межмуниципальное сотрудничество, местное самоуправление, сотрудничество территориальных общин / громад, депутат местного совета.

Introduction. At the present stage, Ukraine faces the necessity of solving many problems in the area of competence development of local councils' deputies: building the structure of education system, identifying educational needs, content, means, forms and methods of training, etc. One can agree with the experts' opinion that the development of teaching of Ukrainian local councils' deputies is a social order of time and should become a priority area of the state policy.

At the same time, the system of training, specialization and professional development of civil servants, local self-government officials, and local council's deputies does not meet modern requirements of education quality and content. There is no holistic system for monitoring and evaluating the quality of provid-

ing educational services for professional training of civil servants and local self-government officials in accordance with European standards of quality assurance. That is why, in 2018, the National Agency of Ukraine for Civil Service with the support of the Council of Europe launched consultations [23] in order to develop an agreed Plan of Measures to implement the Concept of reforming the system of professional training of civil servants, heads of local state administrations, their first deputies and deputies, local self-government officials and local councils' deputies approved by the Cabinet of Ministers of Ukraine Decree of December 1, 2017 No. 974-p [17].

According to the Ministry of Regional Development, Construction, Housing and Communal Services of Ukraine,

the number of communities using the mechanism of inter-municipal cooperation in Ukraine is steadily low: as of October 10th, 2017, 487 territorial communities participated in the territorial cooperation agreements, as of May 20th, 2019 – 402 [15]. The level of territorial communities' cooperation development in Ukraine cannot be considered sufficient. Researchers identify, among likely reasons for insufficient use of instruments of cooperation between territorial communities, the inadequate awareness of village, town, city mayors, local council members about the possibility of concluding agreements on cooperation with other communities.

Formulation of the problem. Thus, there is a need for local council deputies able to implement European principles



and practices of intermunicipal cooperation. This is what actualizes the study of approaches to the local council deputies' competence improving in the development of intermunicipal cooperation in Ukraine.

Setting paper objectives (purpose of the article). Systematic research of the approaches to the local council deputies' competence improving in Ukraine has not been conducted yet. That is why the purpose of this article is to examine the local council deputies' competence improving in the development of intermunicipal cooperation.

Scientific background and materials used. One can agree with the opinion of the monograph authors [25] that in recent years in Ukraine a powerful scientific "competency mainstreaming" has been formed, presented in the works L. Gajewska, S. Gazaryan, V. Goshovska, S. Kalashnikova, O. Kireeva, G. Kushnirova, I. Malyska, T. Mamatova, Y. Molchanova, N. Protasova, E. Sergienko, I. Shpektorenko, V. Filipovskiy, T. Vasylevs'ka, M. Yarmysty, etc. [4; 7–9; 11; 12; 21; 26].

In works of T. Mamatova and Y. Borysenko the aspects of the local development networks participants' competence formation in Ukraine were considered [3]. Methodical principles and best practices of three components forming the local development networks participants' competence in Ukraine are considered: civic competence; network communication competence; local development project management competence.

B. Jałochaa, H.P. Kraneb, A. Ekambaramc and G. Prawelska-Skrzypekkin [1] identified the most important components of project managers' competence in the public sector. Based on literature studies, authors suggest a typology of competencies to be developed by project managers, implemented within or with the participation of public sector organizations.

Presentation of the main results and their substantiation. In 2016, in general, the deputy corps of local councils in Ukraine was significantly renewed, 40–60% of local council's deputies (village, district, city, oblast) were elected for the first time during the regular election [25]. At this stage of the local self-government reform, when processes of decentralization and the formation of amalgamated territorial communities became more active, a new cohort of deputies – young

and little aware of all the nuances of deputy's work – came to the local councils. Many of them had no higher education at all, but felt the need for education, systematic upgrading of skills and the acquisition of new skills and abilities for the successful implementation of parliamentary activities.

After the election of deputies, representatives of completely different fields of activity – entrepreneurs, doctors, teachers, farmers, etc. – before starting their duties, do not acquire the appropriate "deputy" education, but start working in the field where they should professionally represent the interests of people, who showed them their trust and voted for them [18]. Naturally, during this period, activities in the area of forming the professional competence of local councils' deputies were intensified with the support of international technical assistance projects, in particular, a number of training programs were developed and several specialized manuals issued [13; 14; 24].

Thus, the cooperation of the Institute for Political Education (IPE), which has specialized in conducting deputies' training for more than 15 years and creating effective educational programs for them [18; 19] and the National Endowment for Democracy (NED) aims to improve the level of political consciousness, theoretical knowledge and practical skills of local council members. Within the framework of this project, for the period of 2011–2018, seminars were organized for 44 groups of deputies of local councils from different regions of Ukraine. A feature of 2019 was the implementation of a training program for civic activists who may be elected as members of local councils [5].

After a thorough study of the local deputies' needs in 2017, which consisted of deputies' polls, focus groups and individual interviews with deputies of various amalgamated territorial communities, the DOBRE program also began the most extensive training for all deputies of partner communities in the program together with the IPE. For the first 25 communities, this training lasted from September 2017 to February 2018 and consisted of 39 practical seminars, in which 263 deputies took part [18].

In 2018, experts of the public campaign "Attestation of Local Councils' Deputies" conducted a series of trainings in 12 regions of Ukraine [6]. The purpose of the trainings

was to give the participants an understanding of the conflict of interest's nature while exercising the powers of the local deputy authority, as well as to develop skills in resolving the conflict of interests in case of its occurrence. In total, trainings were attended by over 200 participants from more than 50 local councils. The trainings were built based on the maximum inclusion of participants in the process with a large number of practical tasks.

One of the innovative forms of local councils' deputies' integral competence development is e-learning [9; 10; 16] and participation in communities of practice. The community of practice (CoP) is a voluntary virtual association of professionals or all those interested in solving practical problems. In fact, it is an association of practitioners involved in joint activities aimed at finding new ideas. In recent years, communities of practices have become increasingly widespread in the public sector in many countries [25]. During the years 2012–2019, with the support of the Swiss-Ukrainian project DESPRO, the CoP "Sustainable Development" [22] is being formed. On the main page of the E-platform it is stated that more than 6000 local self-government officials joined the community. Experience of the e-platform allows characterizing it as a powerful outsourcing resource that can be used effectively, aimed at developing the competence of local government officials and representatives of civil society [2; 3; 9].

At this CoP in 2016 a program of a regional e-course "Activities of the Local Councils' Deputy" was offered [10]. The purpose of the e-course was to develop integral competence components related to the implementation of parliamentary powers, support for decentralization processes and reformation of power, strategic development of the territories, cooperation of territorial communities, and improvement of the public services provision quality. In October 2016, for the second time there was an on-line training of council members from several regions (in particular Volyn region – 11%, Dnipropetrovsk – 29%, Donetsk – 9%, Zaporizhia – 15%, Poltava – 4%, Rivne region – 9% and Kharkiv region – 23%), public servants and people who intend to participate in the future elections to local councils. Among the participants, the majority of the deputies of village



and settlement councils (44%), in almost equal proportions represented deputies of district (22%) and city councils (20%), the minority were deputies of regional councils (2%). During the poll, 48% of the participants indicated that they were elected for the first time and do not have the experience of parliamentary activities, 15% of the participants were elected for the second term, 19% were deputies of several convocations. The results of the discussions indicate the considerable interest that caused the topic of communities' cooperation, the identification of opportunities and obstacles in implementing local initiatives, the features of strategic planning of the territories, the issue of establishing a system of communication between the deputy and the community and community organizations, with the chairman of the council, the executive committee, the village elders, and even with colleagues-deputies [20].

Local councils' deputies are also active members of the most popular on the given e-platform of the all-Ukrainian distance course "Local development project management", which aims to develop the components of competencies in the field of project management [1]. In this course, deputies can develop and participate in peer-assessment of the community co-operation project to promote the Global Goals for Sustainable Development on a local level.

Conclusions and perspectives for further research. The results of the research can help in determining the priority forms of the local council deputies' competence improving in the development of intermunicipal cooperation: participation in communities of practice; specialized trainings, e-learning and their combination; learning at the time of territorial communities' cooperation project implementation; participation in in-person communication projects using modern methods of knowledge transfer "open space", "world café", etc.; learning through participation in monitoring projects for implementation of regional and local development strategies. Among the key areas of research and practical implementation, it is necessary to determine: further development of training programs and academic curricula tailored to the needs of local council deputies' competence improvement; development of the educational services market in the field of vocational training of local councils' deputies on the basis of trans-

parent and fair competition with the relevant system of monitoring and assessing the quality of educational services; cooperation mechanism implementation between state bodies, local self-government bodies, civil society institutions, international technical assistance programs, all-Ukrainian associations of local self-government bodies, institutions of various forms of ownership, providing educational services.

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ОЦЕНКА КАЧЕСТВА РАБОТЫ СУДЬИ В СИСТЕМЕ КАДРОВОГО ОБЕСПЕЧЕНИЯ КАЧЕСТВЕННОГО ПРАВОСУДИЯ В УКРАИНЕ

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АННОТАЦИЯ

В статье рассмотрен механизм оценки качества работы судей, в частности, как элемент администрирования суда и элемент работы с кадрами в судебной системе влияет на состояние обеспечения качественного правосудия. В связи с проведенной реформой правосудия и судопроизводства в Украине, одним из направлений которой провозглашена оценка качества работы судьи как важная составляющая карьерного продвижения судьи и качественного правосудия, очень важную роль играют критерии оценки качества работы судьи, которые в дальнейшем станут критериями отбора кандидатов на должность судей.

Ключевые слова: кадровое обеспечение, правосудие, оценка качества работы суда, профессиональная пригодность судьи, квалификационное оценивание судьи.

ASSESSMENT OF THE QUALITY OF JUDGES IN THE STAFF SYSTEM OF QUALITY JUSTICE IN UKRAINE

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SUMMARY

The article is about the mechanism of evaluating the ability to work with the judiciary, as the element of administration to the court, and the element of work with personnel in the court system, which can be added to the camp for securing the ultimate justice. In connection with the reform of justice and justice in Ukraine, one of the directions of which is the assessment of the quality of the judge's work as an important component of the career advancement of the judge and high-quality justice, the criteria for evaluating the quality of the work of the judge, which will later become the criteria for selecting candidates for the position, are proclaimed judges.

Key words: staffing, justice, evaluation of the quality of court work, professional suitability of a judge, qualification evaluation of a judge.

Постановка проблемы. На сегодня в Украине признано, что система правосудия не выполняет поставленные перед ней задачи. Об этом свидетельствуют положения Стратегии реформирования судопроизводства, судопроизводства и смежных правовых институтов на 2015–2020 годы [11]. Влиятельными факторами такой ситуации является низкое качество правосудия, обусловленное проблемами в системе качества кадрового обеспечения судебной ветви власти. В системе администрирования судеб-

ной власти, с целью обеспечения справедливого, независимого, беспристрастного судопроизводства, особенно важную роль играет механизм оценки качества деятельности суда, который является абсолютной новацией в системе администрирования и неразрывно связан с непосредственными носителями судебной власти – судьями. Применение различных методологий оценки качества деятельности суда и судей позволит усовершенствовать механизм качественного кадрового обеспечения судебной вла-